



**STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH**

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CHILDREN'S SERVICES COMMITTEE

Andrew Jackson Building, 9th Floor Training Room
Thursday, December 11, 2014
1:00 p.m.

MINUTES

Members Present

Wendy Shea, Chairperson
Kelly Drummond
Genesis Hardin
Jennie Harlan
Rob Mortensen
Audrey Taylor Gonzalez
Glenda Terry
Steven Neely

Members Absent

Amy Lawrence (excused)
Tawny Spinelli (excused)

Staff Present

Craig Hargrow
Caryn Harris
Melissa McGee
Gerald Papica
Steve Petty

I. Welcome and Introductions - Wendy Shea, Children's Services Committee Chair

Chair Shea opened the meeting at 1:01 p.m. Attendees introduced themselves. Two Committee members were absent.

II. Approval of Minutes

IT WAS MOVED (HARLAN) AND SECONDED (TAYLOR-GONZALEZ) TO APPROVE THE AUGUST 2014 CHILDREN'S SERVICES COMMITTEE MEETING MINUTES. UNANIMOUSLY CARRIED.

III. Second Look Commission (SLC) Update – Craig Hargrow

Hargrow discussed the review of three cases at the October 14, 2014 Investigatory Meeting.

Matter # 1: Hargrow stated the first matter contained three allegations of sexual abuse, with two of three allegations involving the same or continuing circumstances. The first referral alleged mother's boyfriend had sexual contact with the subject child's sibling.

The sibling, perpetrator and the mother of the children denied the abuse. However, the sibling's counselor confirmed the abuse disclosure. The matter was closed as "Unable To Complete."

The other two referrals involving the subject child alleged the child was sleeping with her adult boyfriend and the child's mother knew about it. The referral also stated perpetrator was on probation for a sex offense. Law enforcement later confirmed the perpetrator was on probation for domestic violence, statutory rape and child abuse. Initially, the child's mother denied the allegations. She later admitted she knew the child and the perpetrator were in a relationship. The mother allegedly continued to allow the perpetrator to abuse the child while the perpetrator was awaiting trial. Ultimately, the perpetrator entered a guilty plea for statutory rape of the child.

Matter # 2: Hargrow reported the family, specifically the father, had a history of drug abuse dating back to 2007. In June 2010, both the mother and the father of the child admitted to using methamphetamine. The mother also admitted to recently attempting to commit suicide. Initially, the child and her siblings were placed outside the home. During the preliminary hearing in this matter, one of the child's siblings was placed back in the home with the mother prior to the completion of mental health and alcohol/drug assessments. The father subsequently entered a guilty plea for the offenses of Initiation of Manufacture Methamphetamine. Later in the matter, the mother obtained custody of the other child to dispose of the matter. It does not appear the children were ever tested for methamphetamine.

Matter # 3: Hargrow provided a brief overview of a long history of DCS involvement with the family as far back as the year 2000. The matters included drug exposure, custody disputes between the parents, head lice, and unsubstantiated physical abuse.

In April 2009, DCS received a referral stating the child was sexually abused by her uncle. The referral also stated the child was in special education. Several family members knew about the abuse, but failed to report it. Multiple counties were involved in the investigation. The matter was substantiated. Based on the documentation provided, Hargrow reported he could not determine whether the uncle was prosecuted.

In 2011, DCS received a referral stating the child had been raped by a woman. The woman stated the sexual contact was consensual. Hargrow reported both the victim and perpetrator were developmentally delayed. A true bill was returned by the Grand Jury for one count of Rape of a Child. The matter was retired approximately two years later because the State and Defendant's attorney acknowledged there was a diminished capacity on behalf of both the prosecuting witness and the Defendant, affecting their respective abilities to proceed in testimonial capacities, and that the capacities were not likely to resolve themselves in the foreseeable future.

SLC members also noted the necessity of early detection of mental illness and providing effective services. Hargrow reported the 3 matter contained several examples of failure to report child abuse. Proper documentation was also an issue.

At the November 19, 2014 Quarterly Meeting, members discussed the content and format of the Annual Report due to the General Assembly by the end of December.

Taylor- Gonzalez asked Hargrow who makes up the SLC. He responded there are 4 members of the General Assembly, one TBI agent, two law enforcement officers, children's advocates, district attorney, public defender, doctor, and DCS. Mortensen explained membership or composition of SLC.

Taylor-Gonzalez queried how referrals are received by the SLC. Hargrow responded that they must meet severe abuse criteria and come from a list DCS supplies that is due each October for the previous fiscal year. From the list, a stratified sampling is made. Hargrow also explained that cases selected for review have recent abuse with no more than a three years since the prior abuse. Court records are not the source for cases for review because cases do not always go to court.

Shea suggested that SLC Annual Report should be disseminated statewide or to a larger audience. Subsequent reports about the outcome of SLC recommendations and monitoring of progress should be made. She asked about the statewide medical examiner. Will SLC report on progress of previous year's recommendations? It would be good to know that information.

Shea and Taylor-Gonzalez said it is "mind-boggling" that Tennessee does not have a statewide medical examiner.

The next SLC scheduled meeting is December 17, 2014

IV. Ombudsman Program Update – Gerald Papica

Papica reported that there were 39 referrals received for the months of August, September and October. This number represents 29 open/active cases and 10 information-only cases. The volume of referrals (45) for the same reporting period last year was slightly higher but the ratio (3:1) of open/active cases vs. information only cases remains constant.

Papica directed the Children's Services Ccommittee to the handouts in order to learn about Ombudsman Program statistics for this current reporting period.

In September and October, Papica continued to participate with "Seeking Justice: One Child at a Time" conferences in Nashville, Memphis and Martin with Judge Dwight Stokes and Craig Hargrow, Juvenile Justice, DMC and Second Look Commission Director. Papica's participation in the DMC conferences provided an avenue to reach out to minorities/people of color about the Ombudsman Program.

Papica briefly mentioned that he was assigned to join two other TCCY staff members to conduct a 3rd Party Case Review in Mountain View Youth Development Center last August. The month was spent mostly in site visit, meetings with local DCS staff,

interviewing stakeholders and parents, reviewing files and documents, report writing, case conferencing, and DCS Central Office meeting that included DCS Commissioner Jim Henry.

Mortensen asked if Mountain View has case managers. Papica responded in the affirmative but there is no continuity of case management between office and facility caseworkers. Receiving timely and complete information are ongoing issues. Risk factors, for example, are not shared immediately. Critical information about education and mental health background, as examples, are late in many instances.

Taylor Gonzalez agreed with this assessment, saying that sometimes, “all we have is the driver to give information.”

Shea asked about the shift from a correctional to therapeutic model. Papica stated that the recommendation of TCCY to transform YDCs from correctional approach to a therapeutic model was well-received during the meeting with Commissioner Henry and his executive staff members. (This paradigm shift was reported by Deputy Commissioners Monica Middlebrooks and Dr. Michael Cull during the TCCY Commission Meeting presentation the following day, December 12, 2014.)

Papica attended the 35th United States Ombudsman Association (USOA) Annual Conference in Lincoln, Nebraska. The Cornhusker State was a great venue for the annual event in October 15-17. Lincoln Mayor Chris Beutler joined the opening reception and welcomed conference participants. The Keynote Speaker was Nebraska Senator Ernie Chambers. For 2015, the annual conference is slated for Scottsdale, Arizona.

One plenary session during the USOA Annual Conference focused on “compassion fatigue,” and how we can become ineffective if our limits are reached.

Shea thanked Papica.

V. Council on Children’s Mental Health – Melissa McGee

McGee introduced herself and gave her background in the mental health arena. She has worked at STARS (Brentwood High School) and Centerstone (Johnson School in Nashville) as a therapist. She observed that youth have the same needs, even if they live in different places or areas. McGee also talked about her work with Dustin Keller, which led to her joining TCCY. She began working with this agency on October 27, 2014. The CCMH met on August 21 and October 30. Presently, there are more than 400 individuals who receive periodic updates and latest information about CCMH.

The August meeting provided an informative focus on trauma-related initiatives throughout the state. The Centers of Excellence for Children in State Custody (COEs) were involved and provided an overview about the subject matter.

In October, the CCMC meeting focus shifted to discussion and presentations on school-based initiatives, school climate and bullying. This was made in response to a request

from Representative John Ragan during the TCCY Sunset Hearing. A highlight of the meeting was a presentation from a K-Town family member and the family's experience in an SOC (System of Cares) grant initiative.

The CCMH Steering Committee met on November 17 and discussed several topics that include CCMH meetings attendance growth, Steering Committee Structure and members, potential 2015 SOC Conference, a 2015 CCMH report to the General Assembly, and general discussion around the CCMH workgroups.

Shea asked what is "school climate." McGee stated that it is how schools promote healthy students. Other topics being heralded in schools are related to trauma-based and juvenile justice initiatives.

Drummond inquired about SOC grants. McGee replied current funding for SOC-based initiatives is time limited and SOC values and principles are becoming more imbedded into other grants as opposed to stand-alone grants. It is important that SOC values and principles continue to be a priority in children's mental health. The focus is turning toward sustainability and opportunities to collaborate and support the best mental health care for children and families in Tennessee.

The next CCMH meeting will be on February 19, 2015 in the TennCare building on Great Circle Road in Metro Center from 10 a.m. to 3 p.m.

VI. Youth Transitions Advisory Council – Steve Petty

Petty reported on the YTAC meeting on September 18 held at the Goodwill Industries of Middle Tennessee. Thirty-one people attended. Dave Aguzzi provided a DCS update and Joseph Goldsmith gave information about Youth Villages Transitional Living program.

On October 30, a YTAC Annual Report, as required by TCA 37-2-601, was delivered to the legislature.

Harlan asked how long the TRY grant is funded. Petty reported the grant is for four years. Grantees are providing services in Jackson and Columbia. Harlan also asked how youth get enrolled or how find out about the TRY program. Petty stated that "community outreach" efforts are ongoing. The goal is to reach 60 students. Harlan and Petty discussed the discrepancy between the local school system, the Department of Education and the State Board of Education regarding mental health providers in schools.

Petty commented that the new nomenclature for "post-custody" is "extension of foster care." Additionally, the number of children aging out is going down. Overall, the trend is decreasing numbers of children entering state custody.

Some of the progress for transitioning children involved getting a state photo ID and release of requests for proposals (RFPs) for step-down placements from Youth Development Centers. Other encouraging activities include creation of a DCS Engagement Specialist position, THDA using residual monies to create housing for

transitional youth, establishing a Youth for Youth Board in Davidson County, transitional apartments (four units in Upper Cumberland region), etc.

The next YTAC meeting is May 7, 2015.

VII. Other Business

**MORTENSEN MOVED TO ADJOURN THE MEETING. TAYLOR-GONZALEZ
SECONDED. UNANIMOUSLY CARRIED.**

There being no further business, the meeting adjourned approximately at 2:55 p.m.

Minutes submitted by:

Gerald R. Papica, Ombudsman

Minutes approved by:

Wendy Shea, Committee Chair